

Message Text

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ORIGIN L-02

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DRAFTED BY L/NEA:JARHOWER:DSC

APPROVED BY T:CEMAW

NEA:SSOBER

NEA/IRN:CWNAAS

L/T:AWROVINE

L/PM:TABOREK(DRAFT)

PM/SAS:FLADD

L/NEA:BKHUFFMAN

DOD/ISA:RKUBAL

S/S - MR. KUCHEL

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FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN IMMEDIATE

C O N F I D E N T I A L STATE 076214

E.O. 11652: ADS - DECLASS JUNE 1, 1975

TAGS: MARR, MASS, IR

SUBJECT: EXTENSION OF GENMISH AGREEMENT

REF: TEHRAN 2109

1. YOU ARE AUTHORIZED TO EXTEND GENMISH AGREEMENT FOR ONE YEAR BY MEANS OF EXCHANGE OF NOTES WITH GOI, FOLLOWING CUSTOMARY FORM BUT SUBJECT TO THE FOLLOWING AMENDMENTS:

A. IN THE PREAMBLE, STRIKE THE PHRASES; "THE NUMBER OF OFFICERS OF WHICH SHALL NOT EXCEED EIGHT, WITH A VIEW TO REFORMING THE AFFAIRS OF THE GENDARMERIE,";

B. FOR PRESENT ARTICLE ONE SUBSTITUTE: "THE PURPOSE OF THIS
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MISSION IS TO PROVIDE MILITARY ADVICE TO THE MINISTRY OF

THE INTERIOR OF IRAN IN THE ORGANIZATION, OPERATIONS AND ADMINISTRATION OF THE IMPERIAL IRANIAN GENDARMERIE INSOFAR AS THESE PERTAIN TO THE MAINTENANCE OF THE SECURITY OF IRAN.";

C. IN ARTICLE 8 STRIKE THE PERIOD AT THE END OF THE FIRST SENTENCE, INSERT A COMMA, AND STRIKE THE SECOND SENTENCE AND SUBSTITUTE THEREFOR: "BUT EACH MEMBER OF THE MISSION SHALL HAVE PRECEDENCE OVER ALL OFFICERS OF THE IRANIAN GENDARMERIE OF THE SAME RANK. MEMBERS OF THE MISSION SHALL

HAVE PRECEDENCE OVER ALL OFFICERS OF THE IRANIAN GENDARMERIE OF THE SAME RANK. MEMBERS OF THE MISSION SHALL WEAR THE UNITED STATES ARMY UNIFORM WITH A SHOULDER SLEEVE INSIGNIA INDICATING SERVICE WITH THE IRANIAN GENDARMERIE."

2. THE PURPOSES OF AMENDMENT A ARE TO REMOVE AN ANACHRONISTIC NUMERICAL LIMITATION AND AN ANACHRONISTIC DESCRIPTION OF THE MISSION'S FUNCTION.

3. THE PURPOSE OF AMENDMENT B IS TO MAKE CLEAR THAT THE MISSION IS IN IRAN TO PROVIDE MILITARY ADVICE AND ASSISTANCE IN SECURITY MATTERS AS DISTINCT FROM POLICE TRAINING ACTIVITIES. THIS CHANGE IS NECESSARY BECAUSE OF REQUIREMENTS OF U.S. LAW AND CONGRESSIONAL SENSITIVITY CONCERNING ASSISTANCE FOR POLICE ACTIVITIES REFLECTED IN SECTION 660 OF THE FOREIGN ASSISTANCE ACT AS AMENDED.

4. AMENDMENT C IS TO REMOVE THE THEORETICAL POSSIBILITY THAT MEMBERS OF THE MISSION MAY BE REQUIRED TO WEAR THE UNIFORM OF A FOREIGN STATE'S MILITARY FORCE. THIS, LIKE AMENDMENT A, IS COSMETIC.

5. PLEASE SEND SIGNED ORIGINAL OF FOREIGN MINISTRY NOTE AND AUTHENTICATED COPY OF EMBASSY NOTE TO DEPT. (L/T)

6. F.Y.I. THOUGH AMENDMENT/EXTENSION OF AGREEMENT NEED NOT BE FURTHER DELAYED, PREPARATION OF CIRCULAR L75 (THE FIRST SINCE 1955) DISCLOSED A NUMBER OF POTENTIALLY SERIOUS LEGAL IMPEDIMENTS WHICH MAY IMPAIR USG ABILITY TO CONFIDENTIAL

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FUND PORTIONS OF GENMISH OPERATIONS AFTER JUNE 1, 1976. CIRCULAR 175 MEMORANDUM AND MEMORANDUM OF LAW FLAGGING THESE ISSUES BEING POUCHED FOR YOUR INFORMATION AND COMMENT. END F.Y.I. INGERSOLL

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